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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,235	02/17/2004	George Henry Forman	200308733-1	9657

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EXAMINER

LEWIS, CHERYL RENE A

ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/780,235

Applicant(s)

FORMAN ET AL.

Examiner

Cheryl Lewis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. Claims 1-21 are presented for examination.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-24 recite "eponym into prefix-suffix"; "tallying matches"; and "masks". The claimed "eponym", "tallying", and "masks" are difficult to interpret and understand. It appears that the "eponym", "tallying", and "masks" are descriptive of a particular data structure(s). However, the claims and the Specification do not specifically state what these claim limitations are for "eponym", "tallying", and "masks".

On page 5 at lines 8-23 of the Specification, the Specification states that eponyms can be pronouns, masks can be a data field, and tally can be a variable that represents a particular data structure component.

Kindly provide clarification for these claim limitations.

***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1, 17, 19, and 20 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

**MPEP 2106 IV.B.2.(b)**

A claim that requires one or more acts to be performed defines a process. However, not all processes are statutory under 35 U.S.C. 101. Schrader, 22 F.3d at 296, 30 USPQ2d at 1460. To be statutory, a claimed computer-related process must either: (A) result in a physical transformation outside the computer for which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled artisan, or (B) be limited to a practical application within the technological arts.

6. Claims 1, 17, 19, and 20 are non-statutory because they merely recite a number of data structures defined as a prefix and suffix within predefined locations without producing any tangible results. Claims 1, 17, 19, and 20 do comprise a practical application, however the practicality of these claims do not produce tangible results.

The claims recite a series of steps for determining matches of prefix and suffix, the locations of the prefix and suffix and a threshold boundary for the prefix and suffix however the claims do not recite any of the following examples which would be within the technological art for a practical application to produce tangible results:

- (a) "computing" data;
- (b) "storing" data;
- (c) "displaying" data, etc.

There appears to be a step missing from the later portion of the claim limitations, in order for the limitations to produce tangible results.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker et al. (Pub. No. US 2001/0042785 A1 filed May 8, 2001, hereinafter Walker).

9. Regarding Claims 1 and 19, Walker teaches a method and apparatus for funds and credit line transfers.

The method and associated system for funds and credit line transfers as taught or suggested by Walker includes:

for each record (paragraphs 0063-0108), splitting each entity eponym into prefix-suffix combinations (figure 17, 'JOE SMITH'), and for each prefix (figure 17, Customer Account Number, '9876-6542-1265-8745'), tallying matches with distinct entity locations (figure 17, 'ADDRESS'), and tallying matches of distinct entity locations with a single derived suffix (figure 17, 'Customer ACCOUNT NUMBER ('9876-6542-1265-8745'), NAME ('JOE SMITH'), ADDRESS ('4 MAIN ST, PLACE, CT')), and for each prefix and entity location combination (figure 17, ADDRESS, '4 MAIN ST, PLACE, CT'), tallying distinct suffixes (figure 17, 'JOE SMITH'); and setting a threshold boundary wherein a

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prefix is defined as one of masks when one or more tallies is indicative of different eponyms signifying a single one of entities (figure 17, CUSTOMER ACCOUNT NUMBER, NAME, ADDRESS, TELEPHONE NUMBER, ORIGINAL CREDIT LINE, AVAILABLE CREDIT LINE).

10. Regarding Claim 2, Walker teaches setting the threshold boundary when one or more tallying results in indicative of entity eponym data field including variable data (figure 17, CUSTOMER ACCOUNT NUMBER, NAME, ADDRESS, TELEPHONE NUMBER, ORIGINAL CREDIT LINE, AVAILABLE CREDIT LINE).

11. Regarding Claim 3, Walker teaches setting a threshold boundary wherein a tally of distinct suffixes is indicative of suffixes being information other than entity identity (figure 17, CUSTOMER ACCOUNT NUMBER, NAME, ADDRESS, TELEPHONE NUMBER, ORIGINAL CREDIT LINE, AVAILABLE CREDIT LINE).

12. Regarding Claim 4, Walker teaches setting a threshold boundary where a ratio of a tally for a distinct suffixes to a tally for distinct entity locations is indicative of information other than entity identity (figure 17, CUSTOMER ACCOUNT NUMBER, NAME, ADDRESS, TELEPHONE NUMBER, ORIGINAL CREDIT LINE, AVAILABLE CREDIT LINE).

13. Regarding Claim 5, Walker teaches an override function to a threshold boundary when a characteristic of a data record is indicative of a requirement for improving accuracy before a prefix is defined as one of a masks (figure 17, CUSTOMER ACCOUNT NUMBER, NAME, ADDRESS, TELEPHONE NUMBER, ORIGINAL CREDIT LINE, AVAILABLE CREDIT LINE).

14. Regarding Claim 6, Walker teaches creating a reduced data records sub-set by eliminating records having a unique entity eponym and entity location data pair (figure 17, CUSTOMER ACCOUNT NUMBER, NAME, ADDRESS, TELEPHONE NUMBER, ORIGINAL CREDIT LINE, AVAILABLE CREDIT LINE).
15. Regarding Claim 7, Walker teaches generating a display showing each data record as derived prefix and each related entity location as a function of a number of unique suffixes concatenated with each derived prefix as a function of number of each related entity location (figure 17, CUSTOMER ACCOUNT NUMBER, NAME, ADDRESS, TELEPHONE NUMBER, ORIGINAL CREDIT LINE, AVAILABLE CREDIT LINE).
16. Regarding Claim 8, Walker teaches matching of each data record of a specific activity to a specific known entity of a plurality of known entities such that de-duplication of entities is minimized in a database of a plurality of known entities (figure 17, CUSTOMER ACCOUNT NUMBER, NAME, ADDRESS, TELEPHONE NUMBER, ORIGINAL CREDIT LINE, AVAILABLE CREDIT LINE).
17. Regarding Claim 9, Walker teaches masks are generated as rules for ignoring variable data portions of an entity eponym data field and assigning a respective data record to a database based on non-variable data portions of an entity eponym data field (figure 17, CUSTOMER ACCOUNT NUMBER, NAME, ADDRESS, TELEPHONE NUMBER, ORIGINAL CREDIT LINE, AVAILABLE CREDIT LINE).
18. Regarding Claim 10, the limitations of this claim has been noted in the rejection of claims 2-9 presented above. It is therefore rejected as set forth above.

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19. Regarding Claims 11 and 20, Walker teaches selecting a primary identifier data field (figure 17, CUSTOMER ACCOUNT NUMBER) and an secondary identifier data field (figure 17, NAME) for each data packet; all data packets having a non-unique primary identifier data field (figure 18, MERCHANT NAME), splitting each primary identifier data into at least one prefix-suffix combination (figure 17, 'JOE SMITH'), each prefix counting (figure 18, MERCHANT IDENTIFICATION NUMBER) a first tally of how many distinct secondary identifier data fields occur with a single suffix (figure 18, MERCHANT NAME), each prefix and each secondary identifier data field matched (figure 18, MERCHANT IDENTIFICATION NUMBER and MERCHANT NAME), counting a third tally of how many distinct suffixes occur (figure 18, CUSTOMER ACCOUNT NUMBER), based on tally of first, second, and third generating masks representative of prefixes applicable to data packets having a non-unique primary identifier data field such that application of masks assigns data packets having non-unique primary identifier data field to common entities defined (paragraphs 0097-0106); and filling each of the data packets into a single file assigned to respective associated common entities (paragraphs 0097-0106).

20. Regarding Claims 12, 14, 18, and 21, the limitations of this claim has been noted in the rejection of claims 1-9 and 11 presented above. It is therefore rejected as set forth above.

21. Regarding Claim 13, Walker teaches the primary identifier data field is an intended unique entity name data field (figure 17, NAME).



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22. Regarding Claim 15, Walker teaches the means which essentially comprises the same means as a postal code data field (figure 17, ADDRESS).

23. Regarding Claim 16, Walker teaches masks as rules for cleaning dirty data portions of a data field by removing variable data segments (paragraph 0057).

24. Regarding Claim 17, Walker teaches a periodic log of transactions each transaction being a data string including at least a name field and another identifier field (figure 17, CUSTOMER ACCOUNT NUMBER, paragraphs 0095-0107); selecting unique representative samples of transactions (paragraphs 0095-0107, figure 18, TRANSACTION AMOUNT); dissecting each name field into derived prefix and suffix combinations (figure 17, CUSTOMER ACCOUNT NUMBER, NAME, ADDRESS, TELEPHONE NUMBER, ORIGINAL CREDIT LINE, AVAILABLE CREDIT LINE) each derived prefix and each prefix identifier combination counting the number of distinct suffixes and storing a tally (paragraphs 0095-0109); generating mask from a specific prefix when the specific prefix meets a predefined decision criteria (figure 17, CUSTOMER ACCOUNT NUMBER, NAME, ADDRESS, TELEPHONE NUMBER, ORIGINAL CREDIT LINE, AVAILABLE CREDIT LINE).

#### **NAME OF CONTACT**

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Cheryl Lewis', is written in a cursive style.

Cheryl Lewis  
Patent Examiner  
August 3, 2006